

3727

Patent  
Attorney Docket No. 81688

TRANSMITTAL LETTER

Inventors: LAWRENCE A. GORDON

Serial No: 10/006,748

Filed: December 5, 2001

Notice of Allowance:

For: INSULATED SHIPPING CONTAINER AND METHOD OF MAKING THE SAME

Examiner: S. Castellano

Group Art Unit: 3727

Batch No:

Box Non-Fee Amendment

Commissioner for Patents

Washington, D. C. 20231

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SEP 18 2002

TECHNOLOGY CENTER R3700

Dear Sir:

Transmitted herewith for the above-identified patent application are the following:

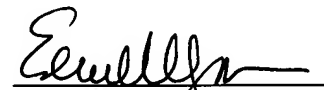
A Response to Restriction Requirement

A return postcard

The item(s) marked below are appropriate:

1.        Applicant(s) hereby petition(s) for ( ) month extension of time to respond to  
an dated
2. X Please charge any fees or costs not accounted for to Deposit Account No. 11-  
1755.

Date: September 11, 2002

  
Edward M. Kriegsman  
Reg. No. 33,529

KRIEGSMAN & KRIEGSMAN  
665 Franklin Street  
Framingham, MA 01702  
(508) 879-3500

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Non-Fee Amendment, Commissioner for Patents, Washington, D. C. 20231 on September 11, 2002.

  
Edward M. Kriegsman



R Kent  
9/21/02  
PATENT #4  
Election

Attorney Docket No. 81688

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
LAWRENCE A. GORDON )  
)  
Serial No.: 10/006,748 )  
)  
Filed: December 5, 2001 )  
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For: INSULATED SHIPPING )  
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Sir:

RESPONSE TO RESTRICTION REQUIREMENT

In an Office Action dated August 30, 2002, the Patent Office communicated the following restriction requirement:

Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 1-19 and 24, drawn to an insulated shipping container, classified in class 220, subclass 592.23.

II. Claims 20-23, drawn to a method of making, classified in class 264, subclass 239.

The inventions are distinct, each from the other because of the following reasons:

Inventions II and I are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed

can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case, the product can be made by a different process where another machine or no machine is used and the plastic parts are made by blow molding or by hand tool methods rather than injection molding.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

In response to the foregoing restriction requirement, Applicant respectfully elects Group I, claims 1-19 and 24.

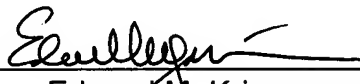
It is respectfully submitted that the present application is in condition for allowance. Prompt and favorable action is earnestly solicited.

If there are any fees due in connection with the filing of this paper that are not accounted for, the Examiner is authorized to charge the fees to our Deposit Account No. 11-1755. If a fee is required for an extension of time under 37 C.F.R. 1.136 that is not

accounted for already, such an extension of time is requested and the fee should also be charged to our Deposit Account.

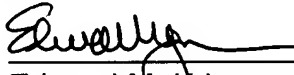
Respectfully submitted,

Kriegsman & Kriegsman

By:   
Edward M. Kriegsman  
Reg. No. 33,529  
665 Franklin Street  
Framingham, MA 01702  
(508) 879-3500

Dated: September 11, 2002

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